



**National Park Service
U.S. Department of the Interior**

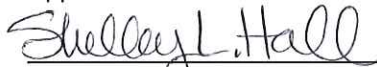
**John Day Fossil Beds
National Monument**

32651 Highway 19
Kimberly, Oregon 97848

Superintendent's Compendium
Of Designations, Closures, Permit
Requirements and Other
Restrictions Imposed Under
Discretionary Authority.

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Approved:


Shelley L. Hall

8/18/2014
Date

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of John Day Fossil Beds National Monument. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by Section 1.5(c), appear in this document identified by italicized print.

36 CFR §1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USES OR ACTIVITIES

(a)(1) The following visiting hours, public use limits, and closures are established:

Visiting Hours:

- The parking lot at the Thomas Condon Paleontology Center is closed for parking when the Center is closed and the gate is closed. The overflow parking area near the Cant Ranch corrals is closed to public entry as posted.

These parking areas are closed during hours when the facilities they access are not staffed. This closure is necessary to provide for physical security of National Park Service facilities. In this remote area, less restrictive measures would not suffice to provide security of government facilities and resources.

Public Use Limits -- Pursuant to §1.5(d) to implement a public use limit, the Superintendent may establish a permit, registration, or reservations system:

- Leaving property unattended in or around NPS buildings, or anywhere within the Monument for longer than 12 hours, requires a permit.

Leaving unknown property unattended in the park area threatens public safety, the environmental and scenic values of the park, the natural and cultural resources of the park, and the orderly management of the park. Visitors seeking to leave property unattended within the park must obtain a permit from the Superintendent.

Closures:

- Launching, landing or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of John Day Fossil Beds National Monument is prohibited except as approved in writing by the superintendent.
 - Definition: The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors communication links). This term includes all types of devices that meet this definition (e.g., model airplanes, quad-copters, drones) that are used for any purpose, including for recreation or commerce.

Use of unmanned aircraft within JODA poses a disturbance to wildlife in the park and interferes with other park visitors who come to appreciate and photograph the scenic resources. Although no portions of JODA have been formally designated as wilderness, portions have been included with adjacent Bureau of Land Management lands in wilderness proposals and the presence of unmanned aircraft is inappropriate within proposed wilderness. NPS Management Policies section 1.5 requires caution in approving new uses before full evaluation of potential impacts of such use.

- The following National Park Service buildings and facilities are closed to the public:
 - All park residential areas, including buildings, driveways and yards.
 - All unpaved roads that are currently not maintained for public access are closed to public vehicle travel.
 - The maintenance area in the Sheep Rock Unit, including office and storage buildings, vehicles bays and parking areas.
 - The office, collections and lab portion of the Thomas Condon Paleontology Center and the loading dock/parking area on the back of the building.
 - The office and storage areas on the second and third floor of the Cant Ranch House.
 - The area within 25 feet of the well house in the Clarno Unit.

Residences are rented and occupied by government employees. Allowing visitor access would significantly disturb the privacy and disrupt the residential life of occupants. The other buildings, facilities and areas are administrative sites used by the National Park Service in the management of the park. Visitor entry of these areas would interfere with park operations and the protection of government property, and in some cases create a safety hazard for the public and park employees. Less restrictive measures would not suffice to provide safety and security of government operations and employees.

- Climbing on fruit trees in the historic orchard within the Cant Ranch Historic District is prohibited.

The orchard is an important feature contributing to the Historic district. Fruit trees in the orchard are very old and fragile. Climbing on the trees may damage these cultural resources. Less restrictive measures would not adequately protect the trees.

The following Areas are closed to the public (except with a permit from the park superintendent):

- Public foot travel in the area identified as Blue Basin (Sheep Rock Unit) is restricted to the Island in Time and Overlook Trails. The closed area is delineated by: WM, T 11S, R 26E, Section 20, S ½ and Section 29, N ½.
- Public foot travel is prohibited within the Painted Hills in the area between the NPS residence driveway and the road to the Painted Hills Overlook on the south side of the Wheeler County

road; This closed area is delineated by: WM, T 10S, R 21E, Section 31, SW1/4; and WM, T10S, R 20E, Section 36, SE1/4; and WM, T 11S, R 21E, Section 6, W ½; and WM, T 11S, R 20E, Section 1, NE1/4.

- In all of JODA's units, except the areas described above, hiking or pedestrian use is restricted to designated trails or in undeveloped portions to areas covered with grass and shrubs. Foot travel, including technical rock climbing, is prohibited on exposed sedimentary and volcanic rock layers.

The primary resource protected in JODA is the globally-significant and well-preserved diverse paleontological record entombed in sedimentary layers found in close proximity with datable volcanic rocks. Foot travel off trail in these extremely sensitive areas can result in irreversible damage to fossils near the surface. In addition, fossils can be dislodged from their location within the rock strata, significantly reducing their scientific value. Further, many people visit the park for the outstanding scenic and photographic opportunities of the colorful rock formations. The presence of people and their long-lasting footprints on the formations impairs enjoyment of scenic and photographic opportunities of other visitors. Less restrictive measures will not provide adequate protection to these resources and experiences.

- Underwater (SCUBA) diving is prohibited within John Day Fossil Beds National Monument.

The rivers and streams within John Day Fossil Beds National Monument are generally very shallow, with very rapid flow during periods with more water. It would be difficult to SCUBA dive safely in the fast low water without damaging natural resources. SCUBA diving is prohibited to protect park resources in the river.

(a)(2) The following areas are designated for a specific use or activity and/or the following conditions or restrictions are imposed on a specific use or activity:

Areas Designated for a Specific Use or Activity:

- Camping Areas:
Please refer to §2.10 of this document for detailed camping area designations.

- Boat Launching Sites:
Please refer to §3.8 of this document for detailed boat launch sites.

When launching a boat at the designated launch site using a trailer, the tires of the trailer must remain on dry land at all times.

Boat launching restrictions are in place to protect public safety and park riparian resources. Access to rivers and streams within the National Monument is limited due to terrain and vegetation. At the designated launch site, the river channel and water levels vary over time.

- Technical Rock Climbing Routes:
Please refer to §1.5(a)(1) for specific climbing route restrictions.

Restrictions or conditions on the following activities:

- Swimming or wading:
Use of soap, detergent or other cleaning products while swimming or wading is prohibited in waters within John Day Fossil Beds National Monument

Restricting use of soaps is necessary to prevent impacts to the monument's natural resources.

Conditions and Restrictions on Specific Uses or Activities:

- Passenger Carrying Busses:
Engines must be shut down when not underway.

The idling of bus engines adds unnecessary exhaust fumes to the air and diminishes the enjoyment by visitors of the peace and tranquility of the park.

36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

Activities requiring a permit are listed above under Public Use Limits and throughout this document under the specific 36 CFR Section that authorizes or requires the issuance of a permit.

36 CFR §2.1 – PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES

(b) Hiking or pedestrian traffic is restricted to the trail(s) or walkway(s) listed in 36 CFR §1.5 of this document.

Under, §2.1(a) collecting natural materials from the park is generally prohibited. However, pursuant to §2.1(c), the following fruits, nuts, berries or unoccupied seashells may be gathered by hand for personal use or consumption, in accordance with the noted size, quantity, collection sites and/or possession and consumption restrictions:

- Apples, cherries, apricots, peaches, plums, and pears may be gathered by hand for non-commercial use from trees within the James Cant Ranch Historic District. Climbing of fruit trees is prohibited (36 CFR §1.5 of this document).

Fruit trees within the James Cant Ranch Historic District are non-native to the area and are maintained as part of the cultural landscape. They were originally planted for human consumption. Only a few trees are maintained in a very limited area near the ranch house. As such, fruit from the trees is an unnatural and minor source of food for wildlife populations. Gathering of these fruits will not adversely impact park natural or cultural resources.

36 CFR §2.2 - WILDLIFE PROTECTION

(d) The following conditions and procedures for transporting lawfully taken wildlife through the park area are in place:

- Wildlife legally taken outside of John Day Fossil Beds National Monument may be transported through the park in a vehicle on the following roads and under the following conditions:
 - State Highway 19, US Highway 26, State Highway 218, and the Wheeler County Painted Hills/Bear Creek Road #16 using the shortest possible direct route through the monument without stopping.
 - Lawfully taken wildlife transported through the monument shall be completely covered or otherwise kept out of view, and must be properly tagged in accordance with state law.
 - Persons transporting legally taken game must possess a valid state hunting license.

- Residents living in homes within the park boundary may transport legally taken wildlife through the monument directly to their residence.
- Wildlife legally taken on BLM or private lands immediately adjacent to the National Monument boundary only in the area accessed by the NPS unpaved road beginning on the west side of Highway 19 and leading directly to BLM and private lands to the west of the monument boundary in the Sheep Rock Unit may be transported on this unpaved road between the park boundary and their vehicle parked on Highway 19 by a person on foot in a backpack or hunting vest with a specific permit from the Superintendent.
- Transporting wildlife by any other means or on any other road, trails, or NPS lands is prohibited without a specific permit from the superintendent.

(e) The following areas are closed to the viewing of wildlife with the use of an artificial light:

- All of John Day Fossil Beds National Monument is closed to use of visible and infrared lights to view wildlife.

36 CFR §2.3 – FISHING

(a) Fishing shall be in accordance with the laws and regulations of the State within whose exterior boundaries the park area or portion thereof is located, except in the following designated areas:

- Oregon State Fishing laws/regulations permit the taking of bullfrogs and crayfish. These portions of the state fishing laws/regulations are not adopted. The taking of bullfrogs and crayfish is prohibited within John Day Fossil Beds National Monument.

These state laws are in conflict with 36 CFR and are, therefore, not adopted within John Day Fossil Beds National Monument. Specifically, bullfrogs and crayfish do not meet the CFR definition of fish.

36 CFR §2.5 – RESEARCH SPECIMENS

(a) Taking plants, fish, wildlife, rocks or minerals is prohibited except in accordance with other regulations of Chapter I of 36 CFR or pursuant to the terms and conditions of a specimen collection permit.

36 CFR §2.10 – CAMPING AND FOOD STORAGE

(a) Camping is allowed in the following designated sites or areas and is subject to the following established conditions:

- Camping is prohibited within John Day Fossil Beds National Monument except with a permit issued by the Superintendent.

36 CFR §2.12 – AUDIO DISTURBANCES

(a)(2) Operating a power saw in developed areas is prohibited, except pursuant to the terms and conditions of a permit.

(a)(3) Operating any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas is prohibited, except pursuant to the terms and conditions of a permit.

(a)(4) Operating a public address system is prohibited, except in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51.

36 CFR 2.13 – FIRES

(a)(1) The lighting or maintaining of fires is prohibited within John Day Fossil Beds National Monument.

36 CFR §2.15 – PETS

(a)(1) Possessing pets in public buildings, public transportation vehicles, swimming beaches, and the following structures and/or areas is prohibited:

- Possessing a pet(s) is prohibited in all public buildings and in non-developed areas except that pet(s) on a leash of not more than 6 feet in length are allowed in the following areas under the specified conditions:
 - In the Painted Hills Unit on the Leaf Hill, Painted Cove, Overlook, and Red Scar Knoll Trails; In the Clarno Unit on The Trail of the Fossils and the Clarno Arch Trail; In the Sheep Rock Unit on the Thomas Condon Overlook, Sheep Rock Overlook, River, Island in Time, Blue Basin Overlook, Flood of Fire and Story in Stone trails.
 - On the unpaved route beginning on the west side of Highway 19 and leading directly to BLM and private lands to the west of the monument boundary for the purposes of accessing legal hunting opportunities outside the monument.

(a)(3) Leaving a pet unattended and tied to an object is prohibited, except in the following areas and/or under the following conditions:

- Pets may be left tied to trees or picnic tables at the Cant Ranch Picnic Area, the Painted Hills Picnic Area, and the Clarno Picnic Area while their owner(s) or other person responsible for them are inside the structures associated with these areas.

(a)(5) Pet excrement must be disposed of in accordance with the following conditions:

- All solid pet excrement must be immediately picked up by the owner or person in control of the pet and disposed of in solid waste/trash receptacles or removed from the park.

(e) Pets may be kept by park residents under the following conditions:

- Residents in National Park Service housing are permitted to have household pets at their residence subject to the terms and conditions established in the superintendent's directives in the park's approved housing management plan.

36 CFR §2.16 – HORSES AND PACK ANIMALS

(g) Other conditions concerning the use of horses or pack animals:

- The use of horses and pack animals is prohibited except with a permit from the Superintendent.

John Day Fossil Beds National Monument was created to protect the fossil resources found here. These fossils are often near the surface and very fragile, which makes them vulnerable to damage by horse or pack animal hooves. Less restrictive measures will not provide adequate protection of these globally-significant resources.

36 CFR §2.17 – AIRCRAFT AND AIR DELIVERY

(a)(3) Delivering or retrieving a person or object by parachute, helicopter, or other airborne means is prohibited, except in emergencies involving public safety or serious property loss or pursuant to the terms and conditions of a permit.

(c)(1) The removal of a downed aircraft, components, or parts thereof is subject to procedures established by the Superintendent.

36 CFR §2.21 – SMOKING

(a) The following portions of the park, buildings, structures and/or facilities are closed to smoking as noted:

- Smoking is prohibited within all park-owned structures, except residences, in John Day Fossil Beds National Monument.
- Smoking is prohibited within 25 feet of the entrance to public buildings
- Smoking is prohibited within 25 feet of the Cant Ranch House and Barn
- Smoking is prohibited within 50 feet of gasoline pumps and flammable material storage areas;
- Smoking is prohibited within any JODA-owned or GSA vehicles and within 25 feet of any government vehicle while fueling.

These smoking restrictions are in place to protect historic wood buildings from fires, to provide for employee and public safety and to prevent conflicts among staff and visitors.

36 CFR §2.35 – ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

(a)(3)(i) The following areas and facilities within the park are closed to consumption of alcoholic beverages, and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or has been opened, or whose seal has been broken or the contents of which have been partially removed:

- The consumption of alcoholic beverages is prohibited within all visitor centers and government buildings, except residences, unless specifically allowed as part of a special event, with approval from the Regional Director.

Consumption of alcohol within government buildings would be inappropriate considering the other uses of these buildings and the purpose for which they are maintained.

36 CFR §2.37 – NONCOMMERCIAL SOLICITING

Soliciting or demanding gifts, money, goods or services is prohibited except pursuant to the terms and conditions or a permit that has been issued under §2.50, §2.51, or §2.52.

36 CFR §2.38 – EXPLOSIVES

(a) Using, possessing, storing, or transporting explosives, blasting agents or explosive materials is prohibited, except pursuant to the terms and conditions of a permit.

(b) Using, or possessing fireworks and firecrackers is prohibited, except pursuant to the terms and conditions of a permit.

36 CFR §2.50 – SPECIAL EVENTS

(a) Sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events are allowed, provided there is a meaningful association between the park area and the events, and the observance contributes to visitor understanding of the significance of the park area, and a permit therefore has been issued by the superintendent.

36 CFR §2.51 -- DEMONSTRATIONS

(b) Demonstrations of more than 25 people are allowed within park areas designated as available under paragraph (c)(2) when the superintendent has issued a permit for the activity.

(c)(2) The following locations are designated as available for demonstrations:

- Cant Ranch, Sheep Rock Unit: limited to the grassy area between the Cant Ranch House parking areas, the historic corrals, and Highway 19.
- Thomas Condon Paleontology Center, Sheep Rock Unit: limited to the portion of the patio area east of the mounted binoculars and west of the rock wall.
- Picnic Area, Painted Hills Unit: limited to the north portion of the picnic area measuring 50 feet from the northern fence.
- Picnic area, Clarno Unit: flat area off the NE portion of the parking area, approximately 100 yards east of the restrooms.

A map of these areas is appended to this compendium. Both are available on the Monument's web page from the Superintendent's Office at:

John Day Fossil Beds National Monument
32651 Hwy 19
Kimberly, OR 97848

For permit information, please contact the monument at 541-987-2333 or visit the park website at: <http://www.nps.gov/joda/planyourvisit/feesandreservations.htm>

36 CFR §2.52 -- SALE OR DISTRIBUTION OF PRINTED MATTER

(b) The sale or distribution of printed matter by more than 25 persons is allowed within park areas designated as available under §2.51(c)(2) (see above) when the superintendent has issued a permit.

36 CFR §2.60 – LIVESTOCK USE AND AGRICULTURE

(a) Livestock are generally prohibited in any park area. They are only permitted in park areas pursuant to the exceptions provided for in §2.60(a) and only pursuant to the terms and conditions of a license, permit, or lease.

36 CFR §2.61 – RESIDING ON FEDERAL LANDS

(a) Residing in park areas, other than on privately owned lands, is prohibited except pursuant to the terms and conditions of a permit, lease or contract.

36 CFR §2.62 – MEMORIALIZATION

(a) The installation of a monument, memorial, tablet, structure, or other commemorative installation in a park area without the authorization of the Director is prohibited.

(b) The scattering of human ashes from cremation is prohibited, except pursuant to the terms and conditions of a permit.

36 CFR §3.8 – BOATING OPERATIONS

(a)(2) Launching or operating a vessel is prohibited, except at the following launch site:

- The gravel access road to the boat launch is on the east side of State Highway 19, approximately 1.6 miles north of the intersection with U.S. Highway 26. The launch site is at approximately WM, T12S, R28E, Section 7, NE1/4.

36 CFR §3.16 – SWIMMING AND WADING

Swimming or wading is allowed in waters, subject to closures or restrictions designated in §1.5 of this document.

36 CFR §3.18 – SCUBA AND SNORKELING

(a) Snorkeling and underwater diving is allowed in park waters, subject to the closures or restrictions designated in §1.5 of this document.

36 CFR §3.19 – USE OF SUBMERSIBLES

The use of manned or unmanned submersibles may only occur in accordance with a permit issued by the superintendent.

36 CFR §4.30 – BICYCLES

(a) The use of a bicycle is prohibited except on park roads, in parking areas, and on routes designated for bicycle use.

36 CFR §4.31 – HITCHHIKING

Hitchhiking or soliciting transportation is prohibited.

36 CFR §5.1 – ADVERTISEMENTS

Commercial notices or advertisements shall not be displayed, posted, or distributed on federally owned or controlled lands within a park area unless prior written permission has been given by the Superintendent.

36 CFR §5.3 – BUSINESS OPERATIONS

Engaging in or soliciting any business in park areas, except in accordance with the provisions of a permit, contract, or other written agreement with the United States is prohibited.

36 CFR §5.5 – COMMERCIAL PHOTOGRAPHY

(a) Before any motion picture may be filmed or any television production or sound track may be made by any person other than bona fide newsreel or news television personnel, written permission must first be obtained from the Superintendent.

(b) Taking photographs of any vehicle or other articles of commerce or models for the purpose of commercial advertising without a written permit from the Superintendent is prohibited.

36 CFR §5.6 – COMMERCIAL VEHICLES

(b) & (c) Using commercial vehicles on government roads within park areas when such use is in no way connected with the operation of the park is generally prohibited, and requires permission or a permit from the Superintendent.

36 CFR §5.7 – CONSTRUCTION OF BUILDINGS OR OTHER FACILITIES

Such activities are prohibited, except in accordance with the provisions of a valid permit, contract, or other written agreement with the United States.

36 CFR §§6.4, 6.5, 6.8, 6.9 – WASTE DISPOSAL SITES

A person proposing to operate a solid waste disposal site must submit a request for a permit to the proper Superintendent for review by the Regional Director.

First Amendment Areas

National Park Service
U.S. Department of the Interior

John Day Fossil Beds
www.nps.gov/joda

